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FAM-SPY CASE;410

FATTORNEY TO BE QUESTIONED ON CIA DISCLOSURE

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FAssociated Press Writer

WASHINGTON (AP) - A U.S. ATTORNEY FROM CALIFORNIA WAS CALLED ON THE CARPET MONDAY BY TOP JUSTICE DEPARTMENT OFFICIALS AMID THE POSSIBILITY THEY WILL RECOMMEND HE BE FIRED FOR PUBLICLY DISCLOSING THE IDENTITY OF A KEY CIA SOURCE IN MEXICO AND CENTRAL AMERICA. DEPARTMENT SOURCES, WHO DECLINED TO BE IDENTIFIED, SAID WILLIAM H. KENNEDY, THE U.S. ATTORNEY IN SAN DIEGO, HAD BEEN SUMMONED TO WASHINGTON. THE SOURCES SAID KENNEDY WILL BE ASKED TO PROVIDE AN EXPLANATION FOR DISCLOSING LAST WEEK THAT CIA AND TOP JUSTICE OFFICIALS HAVE BLOCKED AN INDICTMENT OF THE SOURCE, MIGUEL NASSAR HARO.

NASSAR HEADED MEXICO'S FEDERAL SECURITY AGENCY UNTIL JANUARY. KENNEDY TOLD THE SAN DIEGO UNION LAST WEEK HE HAD RECOMMENDED PROSECUTION OF NASSAR IN NOVEMBER FOR AN ALLEGED INVOLVEMENT IN A CAR-THEFT RING.

THE INCIDENT PRESENTS PARTICULAR PROBLEMS FOR THE REAGAN ADMINISTRATION. ONE OF ITS MAJOR LEGISLATIVE CAMPAIGNS SUCCEEDED EARLIER THIS MONTH IN OBTAINING CONGRESSIONAL APPROVAL FOR A LAW IMPOSING FINES OF UP TO \$15,000 AND PRISON TERMS OF UP TO THREE YEARS FOR PUBLICLY DISCLOSING THE IDENTITY OF U.S. INTELLIGENCE AGENTS, EVEN IF THE INFORMATION CAME FROM PUBLIC SOURCES.

THE LEGISLATION, NOT YET SIGNED INTO LAW BY THE PRESIDENT, WOULD APPLY TO ANYONE WHO HAD "REASON TO BELIEVE" THE DISCLOSURE MIGHT HARM U.S. INTELLIGENCE AND WHO HAD ENGAGED IN A PATTERN OF ACTIVITIES DESIGNED TO IDENTIFY COVERT AGENTS.

"KENNEDY'S ACTIONS ARE GETTING A QUICK AND THOROUGH REVIEW. WE'RE VERY INTERESTED TO HEAR HIS JUSTIFICATION FOR THIS," SAID ONE JUSTICE DEPARTMENT SOURCE, WHO ADDED THAT IT WAS STILL AN OPEN QUESTION WHETHER KENNEDY WOULD BE FIRED.

KENNEDY, 50, WAS AN ASSISTANT U.S. ATTORNEY IN SAN DIEGO UNTIL NOMINATED FOR THE TOP POST IN NOVEMBER BY PRESIDENT REAGAN. HE SERVES AT REAGAN'S PLEASURE.

SPOKESMAN TOM DECAIR OF THE JUSTICE DEPARTMENT AND DALE PETERSON OF THE CIA DECLINED TO COMMENT ON THE CASE. KENNEDY COULD NOT BE REACHED FOR COMMENT.